



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 27, 2020

**By ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Tymel Abrams*, 20 CR 352 (JMF)**

Dear Judge Furman,

The Government writes on behalf of the parties and in response to the Orders of the Court dated July 20, 2020 and July 23, 2020. The parties respectfully request an adjournment of approximately sixty days of the initial appearance scheduled for August 3, 2020 to a date and time that is convenient for the Court. In the interim, with the prior referral of the Court, the parties anticipate appearing in magistrate court for an arraignment on the indictment during the week of August 3, 2020, at which time the Government, with the consent of the defendant, who is detained at the Metropolitan Detention Center, will request an exclusion of time under the Speedy Trial Act through the date of any adjournment of the initial appearance before the Court. Cognizant of the ongoing impact of the coronavirus pandemic on the operations of the courthouse and the wellbeing of all participants in any appearance, whether conducted on an in-person or remote basis, the parties request this adjournment to permit the Government to provide discovery and to afford the defendant time in which to consider any possible pre-trial motions. At present, the Government anticipates that it will require approximately thirty days to make initial disclosure to the defendant of discoverable materials that consist principally of numerous audio and video recordings of a series of controlled operations obtained from multiple cameras and numerous recorded telephone calls, data extracted from a social media account of the defendant, and data extracted from certain devices seized from the defendant's residence at the time of his arrest, which data is not yet fully processed. The parties respectfully request that the Court defer setting a schedule for any pre-trial motions and a trial until the date of any adjournment of the initial conference at which time the parties expect to be in a position to advise the Court on any contemplated pre-trial motions as well as the possibility of a pre-trial disposition. Finally, prior to the date of any adjournment of the

initial conference, the defendant requests leave to approach the Court should the defendant identify any grounds on which to submit a renewed application for bail.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

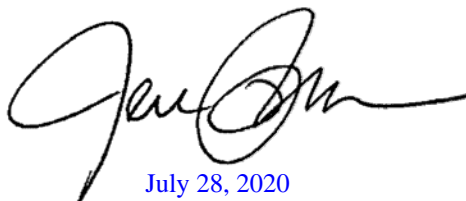
By: Thomas John Wright  
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cc: Christopher Flood, Esq. (Counsel to Defendant Tymel Abrams) (by ECF)

As directed by the Court's deputy, Ms. Smallman, on July 14, 2020, the defendant should have been arraigned and presented before the Magistrate Judge already. The Court is unsure why the parties waited 2 weeks before raising the issue, but in any event they should proceed to have the defendant arraigned as soon as possible in magistrate court. The pretrial conference before the Court is hereby ADJOURNED to October 7, 2020, at 2:30 p.m., at which time the Court will set a motion deadline and discuss trial. The Government shall produce discovery within one month of today. Finally, the Court excludes time under the Speedy Trial Act between today and October 7, 2020, finding that the ends of justice served by excluding that time outweigh the interests of the defendant and the public in a speedy trial to permit the Government to produce discovery and the defendant and counsel to review it.

The Clerk of Court is directed to terminate ECF No. 11.

SO ORDERED.



July 28, 2020